

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Fawaz Khouri,

Plaintiff

v.

Experian Information Solutions, Inc., et al.,

Defendants

Case No.: 2:21-cv-02162-CDS-NJK

## Order Denying Stipulation to Dismiss

[ECF No. 61]

On October 25, 2022, plaintiff Fawaz Khouri and defendant Experian Information Solutions, Inc. filed a stipulation and a proposed order for dismissal. ECF No. 61. But because the stipulation does not comply with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), I deny the stipulation to dismiss.

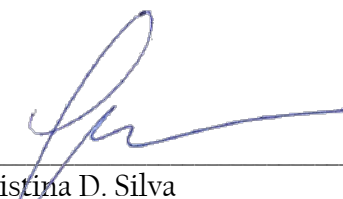
Plaintiff's complaint identifies CKS Financial, LLC; CKS Prime Investments, LLC; Equifax Information Services, LLC; Experian Information Solutions, Inc.; and Velocity Portfolio Group, Inc. as defendants. ECF No. 1. All of the defendants have appeared in this action. ECF Nos. 13, 21, 24. Rule 41 permits a plaintiff to voluntarily dismiss an action subject to certain restrictions. When a plaintiff seeks to dismiss an opposing party who has already answered or appeared in the case, the voluntary dismissal must be made by stipulation "signed by all parties who have appeared" or by noticed motion. Fed. R. Civ. P. 41(a)(1)(A)(ii), (B). Here, Khouri and Experian filed a stipulation of dismissal seemingly intending to dismiss, with prejudice, plaintiff's claims against *all* named defendants. ECF No. 61. But the stipulation is signed only by counsel for Khouri and for Experian. *Id.* While Equifax and CKS Financial were already dismissed from this action and thus need not consent to the voluntary dismissal against the remaining defendants (ECF Nos. 41, 60), there is no evidence that defendants CKS Prime

1 Investments or Velocity have agreed to this stipulation of dismissal. If Khouri seeks to dismiss  
2 all parties and claims alleged, he must file a stipulation of dismissal signed by *all* of the remaining  
3 parties in the action: CKS Prime Investments, Velocity, and Experian.

4 Because the submitted stipulation of dismissal is not signed by all of the remaining  
5 parties who have appeared, I cannot grant it. Accordingly, IT IS HEREBY ORDERED that the  
6 Stipulation and Order for Dismissal (ECF No. 61) is DENIED, without prejudice, and with leave  
7 to re-file a stipulation that complies with the Federal Rules of Civil Procedure.

8 IT IS SO ORDERED.

9 DATED: November 1, 2022

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13 Cristina D. Silva  
14 United States District Judge  
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